

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**HARVEY PORTNOY,**

**Plaintiff,**

**v.**

**Case No: 5:19-cv-407-Oc-30PRL**

**SAFEGUARD PROPERTIES, LLC and  
GREEN TREE SERVICING,**

**Defendants.**

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**ORDER**

This matter is before the Court on Defendant Safeguard Properties, LLC's motion to compel *pro se* Plaintiff's compliance with Court order regarding change of address and to participate in framing a discovery plan. (Doc. 23). Since Plaintiff's initiation of this case in August 2019, several of the Court's orders have been returned by mail as "return to sender" with no forwarding address provided. Defendant also asserts that it has tried to contact Plaintiff via U.S. First Class mail, email, and by phone in order to discuss a discovery plan. (Doc. 23). The letters and emails were returned as undeliverable and Defendant left voicemails at the phone number provided by Plaintiff, but has not yet heard back. (Doc. 23).

The Court previously ordered Plaintiff to advise the Court of any change in his mailing address. (Doc. 4). If Plaintiff does not inform the Court of any such address changes, then the Court will not be able to update its records and Plaintiff will not receive his copies of any Orders, Notices, or other documents entered by the Court. Plaintiff was previously warned that failure to inform the Court of an address change would be deemed to be a failure to prosecute this case and may result in the dismissal of this case. (Doc. 4).

Accordingly, Defendant's motion to compel is granted to the extent that Plaintiff shall update his address and participate in the framing of a discovery plan. Plaintiff is directed to file a Notice of Change of Address with the Court **on or before March 9, 2020**. Failure to comply with this Order will be deemed a failure to prosecute and may result in a dismissal of this case. Plaintiff shall also participate in the framing of a discovery plan with Defendant's counsel.

**DONE and ORDERED** in Ocala, Florida on February 24, 2020.



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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties